

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 CASE NO.:**

**TANYA BOYD**

**21-10261-JDW**

**OBJECTION TO NOTICES OF POSTPETITION  
MORTGAGE FEES, EXPENSES, AND CHARGES**

COMES NOW Locke D. Barkley, Chapter 13 Trustee, by and through counsel, and files this Objection to Notice of Postpetition Mortgage Fees, Expenses, and Charges (the “Objection”) and in support states as follows:

1. The Debtor<sup>1</sup> initiated this proceeding with the filing of a voluntary petition for relief on February 8, 2021. The Debtor’s Chapter 13 plan was confirmed by order of this Court (Dkt. #22) (the “Confirmed Plan”) on May 7, 2021.

2. The Plan provided for the treatment of the claim of Home Point Financial Corporation (“Home Point”) (Clm. #5-1) which is secured by the Debtor’s principal residence pursuant to §1322(b)(5).

3. On March 31, 2021, Home Point, by and through counsel, filed its Notice of Postpetition Mortgage Fees, Expenses, and Charges (Dkt. #14) for an expense in the amount of \$350.00 related to the review of the original Chapter 13 plan (Dkt. #2) (the “Plan”) on March 9, 2021<sup>2</sup>.

4. On April 20, 2021, Home Point, by and through counsel, filed a second Notice of Postpetition Mortgage Fees, Expenses, and Charges (Dkt. #19) for an expense in the amount of \$350.00 related to the preparation of the Proof of Claim.

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<sup>1</sup> The above-referenced Debtor or Debtors shall be referred to herein in the singular as Debtor unless specified otherwise (e.g., Debtor1 or Debtor2).

<sup>2</sup> It is worth noting that the Debtor filed an Amended Chapter 13 Plan (Dkt. #12) (the “Amended Plan”) on March 23, 2021, which directly affected the treatment of the claim of Home Point by changing the start date for the continuing payments. Home Point did not file a Notice of Postpetition Mortgage Fees, Expenses, and Charges relative to the Amended Plan, which begs the question of whether or not the fee charged for plan review is for actual legal examination of the Plan or simply a ministerial task.

5. The Trustee alleges that the cumulative charge for plan review and proof of claim review in the total amount of \$700.00 is excessive.

6. The Trustee alleges that the reasonable fee for both plan review and proof of claim preparation would be the total amount of \$350.00.

7. The Trustee requests that the fee stated in each notice (Dkt. #14 & 19) be reduced to \$175.00 for a combined total of \$350.00.

WHEREFORE, PREMISES CONSIDERED, Locke D. Barkley, Chapter 13 Trustee, prays that upon notice and hearing that this Court enter its order sustaining the Trustee's Objection and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: May 13, 2021

Respectfully submitted,  
LOCKE D. BARKLEY, TRUSTEE

BY: /s/ W. Jeffrey Collier  
W. JEFFREY COLLIER, ESQ.  
Attorney for Trustee  
6360 I-55 North, Suite 140  
Jackson, Mississippi 39211  
(601) 355-6661  
ssmith@barkley13.com  
MSB No. 10645

**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Home Point Financial Corporation  
11511 Luna Road, Suite 300  
Farmers Branch, TX 75234

Robertson, Anschutz, Schneid, Crane & Partners, PLLC  
10700 Abbott's Bridge Road, Suite 170  
Duluth, GA 30097

Dated: May 13, 2021

/s/ W. Jeffrey Collier  
W. JEFFREY COLLIER